

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY	)	
COMMISSION,	)	
	)	Case No. 08CV5131
Plaintiff,	)	
	)	Judge Dow
vs.	)	
	)	Magistrate Judge Nolan
	)	
SWISSOTEL CHICAGO, INC.	)	
	)	
Defendant.	)	

**DEFENDANT'S MOTION FOR LEAVE TO  
FILE ITS NINTH AND TENTH AFFIRMATIVE DEFENSES *INSTANTER***

Defendant Swissôtel Employment Services L.L.C., incorrectly named as Swissotel Chicago, Inc. ("Swissôtel"), moves this Court to enter an order granting Swissôtel leave to file its Ninth and Tenth Affirmative Defenses *instante*. A copy of Swissôtel's Ninth and Tenth Affirmative Defenses is attached to Swissôtel's Memorandum supporting this Motion.

DATED: February 13, 2009

**Swissôtel Employment Services L.L.C.**

By: /s/ Paul Patten  
One of its Attorneys

Robert E. Arroyo  
Paul Patten  
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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that on February 13, 2009, he caused a true and correct copy of the foregoing Motion For Leave to File Its Ninth and Tenth Affirmative Defenses *Instantly* to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system, including:

John C. Hendrickson  
Diane I. Smason  
Aaron R. DeCamp  
Equal Employment Opportunity Commission  
Chicago District Office  
500 W. Madison Street, Suite 2000  
Chicago, IL 60661

/s/ Paul Patten

Paul Patten